

JAN. 19. 2007 3:12PM MOFO 28TH FL

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CENTRAL FAX CENTER NO. 082 P. 11

JAN 19 2007

Application No.: 09/626,699

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Docket No.: 562492002620

REMARKS

Claims 46-67 were pending. By virtue of this response, claims 46-48, 51, 56, 66 are amended, claims 54, 55, 64, and 65 are cancelled, and no claim is withdrawn. Therefore, claims 46-53, 56-63, and 66-67 are presently pending. No new matter is added by this amendment. Entry of this amendment is respectfully requested.

Rejections Under 35 USC §112

Claim 56 was rejected under 35 U.S.C. § 112.

In response, claim 56 was amended to recite "requested registration information," which has antecedent basis, and to which this portion of claim 56 was originally intended to refer.

Claims Rejections Under 35 USC §102

Claims 46, 48-50, 56, 58-60, and 66-67 are rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Fujiwara et al (hereinafter "Fujiwara", 6,064,879).

Claims 46, 56, 66, and 67

The rejection states that Fujiwara discloses (1) transmitting from a server and to user equipment a request for registration information, and (2) receiving at the server, a permanent ID and a permanent password transmitted from the user equipment, both essentially as recited in claim 46. The rejection cites Fujiwara col. 1 lines 31-60 and col. 3 line 60- col. 4, line 5, 35-62 for (1) and col. 7, line 54 – col. 8, line 16 for (2).

In response, the Applicants have amended claim 46 to more clearly distinguish Fujiwara from claim 46.

In particular, claim 46 now recites in part (1) "transmitting to the user equipment, via the anonymous communication session with the user equipment, a reply message comprising a request for registration information" and (2) "receiving, from the user equipment, in response to the request for registration information, a permanent ID and a permanent password."

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First, there is no apparent disclosure at Fujiwara (1:31-60) relevant to (1) above. In fact, Fujiwara at (3:60-4:5) (the other cite in the rejection for (1) of claim 46, above) appears to disclose the opposite:

"FIG. 1 is a diagram showing in schematic form a connection setup, according to the present invention, that the mobile unit manufacturer uses when writing a telephone number (DN) and temporary identification information (ID) into a mobile unit at the factory ... At the mobile unit manufacturer 10, as shown in FIG. 1, the completed mobile unit 12 is connected via a cable to a ROM writer 14 so that DN and temporary ID are written into the mobile unit 12. The ROM writer 14 in turn is connected, via a public network 16, to a CAS terminal 22 which is connected to a customer management system (CAS) 20 at a common carrier 18. The CAS 20 is connected to a central controller (CC) 32 at a mobile telephone switching station (AMC) 29.

In response to a request from the ROM writer 14, one of the unused DN/temporary ID pairs held in the CAS 20 is transmitted to the ROM writer 14 for writing into the mobile unit 12. The same DN/temporary ID pair is also sent to the CC 32 for registration at a home memory station (HMS) 34. The mobile unit 12 is now ready for connection to the mobile communication network, and can thus be subjected to a communication connection test."

It is evident from this section that Fujiwara teaches that a ROM writer, connected to a mobile unit via a cable, makes a request, over a network, of a CAS 20, and the CAS 20 responds to that request with an "unused DN/temporary ID pair[s]."

Further evidence that Fujiwara does not disclose (1) and (2) is that Fujiwara also discloses "In response to the request from the mobile unit 12, the mobile unit 12 is registered with a permanent ID, and the permanent ID assigned to the registered mobile unit 12 is transmitted from the CAS 20 to the mobile unit 12 and written into the mobile unit 12."(4:40-48.)

Fujiwara (7:50-8:4) was cited as disclosing (2). To aid in showing why this is not so, this section is reproduced below, in its entirety, up to (8:16).

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"As previously noted, the mobile unit 12 does not identify whether the stored ID is a temporary ID or a permanent ID. Therefore, even after the permanent ID is stored in the mobile unit, the same designated DN as used above may be dialed [sic], and by activating the same control program contained in the mobile unit as used in the sequence shown in FIGS. 13A and 13B, the type of additional service that the mobile unit can use may be changed in accordance with a similar sequence.

As described, according to the mobile communication method of the invention, the user who purchases a mobile unit has only to enter the designated telephone number in accordance with the supplied instruction manual and then enter prescribed data in accordance with the display produced on the mobile unit; with this simple procedure, the mobile unit is set ready for use.

In the above-described embodiment, a DN is assigned to each mobile unit prior to shipment from the factory, and the user purchases one of the mobile units with a built-in DN. In such a system, since the DN must be built into each mobile unit before it can be actually sold, there arises a problem in the management of DN numbers. To avoid this, in the second embodiment hereinafter described, each mobile unit is assigned a temporary DN instead of a permanent DN prior to shipment from the factory, and when, at the request of the user who purchased the mobile unit, a permanent ID is written into his unit to replace the preassigned temporary ID, a permanent DN is also written in to replace the preassigned temporary DN, and the disused temporary DN is reserved for future use." (7:50-8:16, emphasis added.)

This section of Fujiwara plainly discloses that the user requests a permanent ID, which is supplied by the "CAS 20." As such, Fujiwara cannot disclose (1) transmitting from a server and to user equipment a request for registration information, and (2) receiving at the server, a permanent ID and a permanent password transmitted from the user equipment, as recited in claim 46.

Further evidence that Fujiwara does not disclose (2) is that Fujiwara also discloses:

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the result of the credit check is OK, the CAS 20 extracts one of the unused permanent IDs stored in the unused permanent ID recorder 52 (FIG. 7) and sends it to the AMC 29 (step k). The AMC 29 sends the ID to the mobile unit 12 via the MCS 28 and MBS 26 (step l). In the mobile unit 12, the received permanent ID is written to replace the temporary ID (step m); when the writing is complete, a write-complete signal is sent to the AMC 29 (step n).

(7:33-39, emphasis added.)

In sum, these excerpts from Fujiwara show that Fujiwara teaches that the "CAS 20" – in the network – selects a permanent ID from a list of unused permanent IDs available to it, and causes that permanent ID to be sent to the mobile unit and installed on it. As such, Fujiwara does not teach a request for registration information made of the user equipment, nor does Fujiwara teach that a permanent ID is received from the user equipment in response to the request. Therefore, Applicants respectfully submit that Fujiwara does not teach or suggest all the limitations of claim 46.

In fact, the Advisory Action, at page 2, explicitly states that "[f]rom this section [(7:54-8:16) of Fujiwara], it is clear Fujiwara teaches the transmission of a permanent DN to the mobile unit." The Applicants agree. However, claim 46 does not claim transmission of a permanent DN to the mobile unit. To the contrary, claim 46 includes a limitation directed to receiving from the user equipment a permanent ID and a permanent password. Applicants respectfully request withdrawal of the rejection against claim 46.

Claims 56, 66, and 67

Each of claims 56, 66, and 67 includes a limitation directed to subject matter similar to claim 46, but adapted to user equipment (56), a server-side computer readable medium (66), and a user equipment side computer readable medium (67). Applicants submit that these limitations are likewise not taught by Fujiwara for at least the same reasons as described with respect to claim 46, and Applicants therefore submit that claims 56, 66, and 67 are not anticipated by Fujiwara.

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Applicants respectfully request withdrawal of the present rejection of claims 55, 66, and 67.

Claims 48-50, and 58-60

Claims 48-50 and 58-60 depend respectively from claims 46 and 56. Applicants therefore submit that these claims are allowable at least by virtue of the allowability of claims 46 and 56, and request withdrawal of the rejection against these claims.

Claims Rejections Under 35 USC §103

Claims 51-55 and 61-65 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Fujiwara et al (hereinafter "Fujiwara", 6,064,879) in view of Rai et al (herein after "Rai", 6,675,208).

Claims 51 and 61

The final rejection at page 6 admits that Fujiwara does not disclose that the "reply message further comprises at least one designation for an Internet service provider that the user equipment may-access via the wireless network." Instead, the final rejection vaguely alleges that the "use and advantages for such registration information is well known ... as evidenced by the teachings of Rai" and cites Rai at (5:46-55), (8:10-30), and (43-5-67) without any explanation as to how any of these cites actually disclose the additional limitation of claim 51, or why one of ordinary skill would have been motivated to combine that particular aspect of Rai with Fujiwara. Instead, the rejection contains only general allegations about Rai's "registration methods." Applicants respectfully submit that none of these three cites to Rai disclose or suggest that a reply message, from a server responding to an unregistered user equipment, includes a designation for an Internet service provider that the user equipment may access via the wireless network. As such, Applicants submit that the combination of Fujiwara and Rai does not teach or suggest all the limitations of claim 51, and request withdrawal of the rejection against claim 51.

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Claim 52 and 62

Claim 52 is treated in the rejection similarly to claim 51, in that the rejection includes only generalized allegations about "Rai's registration methods" without any information about how Rai discloses that the reply message further comprises registration web page information. As also stated with respect to claim 51, the Applicants do not presently see that the three citations to Rai provided disclose this additional limitation. Applicants respectfully request withdrawal of the rejection against claim 52.

Claim 53 and 63

Claim 53 recites "the reply message further comprises at least one registration software program for execution by the user equipment." In the context of claim 46, the reply message is from a server and directed to the user equipment.

The Advisory Action stated that "Rai, in combination with Fujiwara, teaches a server running execution software for use with a mobile unit, running similarly configured software for execution with the server." (Advisory Action at 2.) However, claim 53 recites that a reply message from a server to the user equipment, comprises a registration software program for execution by the user equipment. A disclosure of a server and a user equipment separately executing programs does not disclose or suggest sending a program from a server for execution by a user equipment. Rai does not appear to teach or suggest the additional limitation of claim 53 either. Therefore, Applicants respectfully submit that claim 53 is not rendered obvious by the proposed combination and request withdrawal of the rejection against claim 53.

Claims 54, 55, 64, and 65 are cancelled.Claims 47 and 57 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Fujiwara in view of Rollender.

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Claims 47 and 57 recite that the requested registration information further comprises indicia of a preferred service provider. The Advisory Action at page 2 states that "Fujiwara is relied on for teaching the server requesting information from the mobile unit, while Rollender is relied on for teaching a preferred service provider." Rollender is directed to porting a phone number from one mobile phone to another mobile when switching a service provider. (Abstract.) Porting a phone number from one device to another is a qualitatively different teaching from claims 47 and 57, which is to requesting a preferred service provider that will provide service to a particular user equipment. In other words, Rollender may suggest that a person may prefer one service provider over another, and obtain another, different, wireless device to obtain services from that service provider while maintaining the same phone number (see the Abstract – "donor" and "recipient" service providers), Rollender does not suggest that a server can request from a single user equipment an indication of what service provider should provide services for that device. If anything, Rollender teaches away from such a method, because Rollender would be rendered superfluous if a user in Rollender could, from a single device, select a different service provider.

Fujiwara in view of Rollender would likewise not suggest the limitation of claims 47 and 57 since Fujiwara contemplates "officially registering the mobile unit with the communication network." (8:23-25.) Fujiwara therefore does not contemplate giving users a choice about wireless service providers. This deficiency is not cured by Rollender, which discloses a way to more easily port phone numbers between phones operated by different wireless service providers. Applicants therefore respectfully request withdrawal of the rejection against claims 47 and 57.

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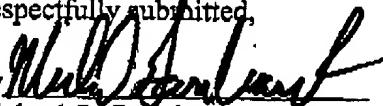
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.562492002620. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 19, 2007

Respectfully submitted,

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sf-2245753

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Supplemental Application Data Sheet

JAN 19 2007

Application Information

Application number:: 09/826,699
Filing Date:: 07/27/00
Application Type:: Regular
Subject Matter:: Utility
Suggested Group Art Unit:: 2157
CD-ROM or CD-R?:: None
Sequence submission?:: None
Computer Readable Form (CRF)?:: No
Title:: USE OF INTERNET WEB TECHNOLOGY TO
REGISTER WIRELESS ACCESS
CUSTOMERS
Attorney Docket Number:: 562492002620
Request for Early Publication?:: No
Request for Non-Publication?:: No
Small Entity?:: No
Petition included?:: No
Secrecy Order in Parent Appl.?:: No

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Supplemental 09826699 07/27/00 01/19/07

sf-2257386

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sf-2257386

Page # 2

Supplemental 09826699 07/27/00 01/19/07

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	Continuation-in-part of	09/432,824	11/02/99

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